

REMARKS

Claims 1-4, 6, and 8-23 are now pending in the application. Claims 5 and 7 have been cancelled without prejudice. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-4, 7-13, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Masafumi in view of Patel (U.S. Pat. No. 5,639,447). Claims 6, 14-16 and 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masafumi in view of Patel, as applied above, and further in view of Ohnishi (U.S. Pat. No. 5,928,989). These rejections are respectfully traversed.

The present invention is directed to a printing method by thermal transfer that has unique technical features as recited in the claims. One significant unique technical feature of the present invention is the use of a thermal transfer sheet comprising a first colorant and a second colorant in this order side by side on a substrate as claimed. As you will see from Figures 1 to 3, the first colorant layer 10 having Y, M and C separately side by side and the second colorant layer 21 having a pearl pigment are provided in this order side by side on the substrate 40.

In contrast, Masafumi discloses a thermal transfer sheet comprising a heat transfer layer having only an organic pearl pigment to obtain colored images with a high metallic gloss without using a spattering device as described in the Abstract. Masafumi also discloses a thermal transfer sheet comprising a heat ink layer 2 as a

primary constituent and optionally comprising a release layer 3, an adhesive layer 4 and a back surface layer 5, laminated on the base material sheet 1. Please see the Abstract and Figures 1 and 2 of Masafumi. Thus, Masafumi only discloses a heat transfer ink layer having only an inorganic pearl pigment, and does not disclose the use of another colorant (dye or pigment), for instance, Y, M or C. Therefore, Masafumi does not disclose a thermal transfer sheet comprising both a pigment- or dye-containing colorant and a pearl pigment-containing colorant as recited in the instant claims.

Regarding Patel, the present invention relates to a printing method, and thus the technical field of the present invention is "printing". On the other hand, Patel relates to a quick-drying nail polish composition in view of Claim 1, the section "Field of the Invention: in column 1, and thus the technical field of Patel's invention is a "makeup or cosmetic product." Therefore, Patel is irrelevant to the present invention as prior art since Patel clearly differs from the present invention in technical field. Moreover, even if one skilled in the art were to look to Patel in combination with Masafumi, he would not be led to the claimed invention. Specifically, there is nothing in the teachings of Masafumi and Patel, either singly, or in combination, that discloses or suggests a first colorant and a second colorant in this order, side by side as recited in the instant claims. Similarly, Ohnishi fails to disclose or suggest the missing features. Accordingly, Applicants respectfully assert that each of the independent claims 1, 2 and 10 are patentable for at least the reason discussed above. Further, since the remaining claims depend from one of these independent claims, Applicants respectfully assert that they are likewise patentable for at least the reason discussed above.


CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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